

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 504**  
FIRST READING

Introduced by Connealy, 16

Read first time January 15, 1999

Committee: Transportation

A BILL

- 1 FOR AN ACT relating to motor vehicles; to amend section 60-301,
- 2 Reissue Revised Statutes of Nebraska; to redefine
- 3 automobile liability policy; and to repeal the original
- 4 section.
- 5 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 60-301, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-301. For purposes of Chapter 60, article 3, unless  
4 the context otherwise requires:

5                   (1) Agricultural products means field crops and  
6 horticultural, viticultural, forestry, nut, dairy, livestock,  
7 poultry, bee, and farm products, including sod grown on the land  
8 owned or rented by the farmer, and the byproducts derived from any  
9 of them;

10                  (2) Apportionable vehicle means any vehicle used or  
11 intended for use in two or more member jurisdictions that allocate  
12 or proportionally register vehicles and used for the transportation  
13 of persons for hire or designed, used, or maintained primarily for  
14 the transportation of property. Apportionable vehicle does not  
15 include any recreational vehicle, vehicle displaying restricted  
16 plates, city pickup and delivery vehicle, bus used in the  
17 transportation of chartered parties, or government-owned vehicle.  
18 Such vehicle shall either (a) be a power unit having two axles and  
19 a gross vehicle weight or registered gross vehicle weight in excess  
20 of twenty-six thousand pounds, (b) be a power unit having three or  
21 more axles, regardless of weight, or (c) be used in combination  
22 when the weight of such combination exceeds twenty-six thousand  
23 pounds gross vehicle weight. Vehicles or combinations of vehicles  
24 having a gross vehicle weight of twenty-six thousand pounds or less  
25 and two-axle vehicles and buses used in the transportation of  
26 chartered parties may be proportionally registered at the option of  
27 the registrant;

28                  (3) Automobile liability policy means liability insurance

1 written by an insurance carrier duly authorized to do business in  
2 this state protecting other persons from damages for liability on  
3 account of accidents occurring subsequent to the effective date of  
4 the insurance arising out of the ownership of a motor vehicle (a)  
5 in the amount of twenty-five thousand dollars because of bodily  
6 injury to or death of one person in any one accident, (b) subject  
7 to the limit for one person, in the amount of fifty thousand  
8 dollars because of bodily injury to or death of two or more persons  
9 in any one accident, and (c) in the amount of twenty-five thousand  
10 dollars because of injury to or destruction of property of other  
11 persons in any one accident. An automobile liability policy shall  
12 not exclude liability coverage under the policy solely because the  
13 injured person making a claim is the named insured in the policy or  
14 ~~a spouse or relative~~ residing in the ~~same~~ household with the named  
15 insured;

16 (4) Cabin trailer means any vehicle without motive power  
17 designed for living quarters and for being drawn by a motor vehicle  
18 and not exceeding one hundred two inches in width, forty feet in  
19 length, or thirteen and one-half feet in height;

20 (5) Commercial trailer means any trailer or semitrailer  
21 designed, used, or maintained for the transportation of persons or  
22 property for hire, compensation, or profit or designed, used, or  
23 maintained primarily for the transportation of property and does  
24 not include farm trailers, fertilizer trailers, utility trailers,  
25 or cabin trailers;

26 (6) Commercial vehicle means any motor vehicle used or  
27 maintained for the transportation of persons or property for hire,  
28 compensation, or profit or designed, used, or maintained primarily

1 for the transportation of property and does not include farm  
2 trucks;

3 (7) Evidence of insurance means evidence of a current and  
4 effective automobile liability policy;

5 (8) Farm trailer means any trailer or semitrailer (a)  
6 used exclusively to carry a farmer's or rancher's own supplies,  
7 farm equipment, and household goods to or from the owner's farm or  
8 ranch, (b) used by the farmer or rancher to carry his or her own  
9 agricultural products, livestock, and produce to or from storage  
10 and market and attached to a passenger car, commercial-licensed  
11 vehicle registered for sixteen tons or less, or farm-licensed  
12 vehicle, or (c) used by a farmer or rancher to carry his or her own  
13 agricultural products, livestock, and produce to and from market.  
14 Such trailers shall carry on their license plate, in addition to  
15 the registration number, the letter X. Farm trailer does not  
16 include a trailer so used when attached to a farm tractor;

17 (9) Farm trucks means trucks, including combinations of  
18 trucks or truck-tractors and trailers or semitrailers, of farmers  
19 or ranchers (a) used exclusively to carry a farmer's or rancher's  
20 own supplies, farm equipment, and household goods to or from the  
21 owner's farm or ranch, (b) used by the farmer or rancher to carry  
22 his or her own agricultural products, livestock, and produce to or  
23 from storage or market, (c) used by farmers or ranchers in exchange  
24 of service in such hauling of such supplies or agricultural  
25 products, livestock, and produce, or (d) used occasionally to carry  
26 camper units, to pull boats or cabin trailers, or to carry or pull  
27 museum pieces or vehicles of historical significance, without  
28 compensation, to events for public display or educational purposes.

1 Such trucks may carry on their license plates, in addition to the  
2 registration number, the designation farm and the words NOT FOR  
3 HIRE;

4 (10) Fertilizer trailer means any trailer, including  
5 gooseneck applicators or trailers, designed and used exclusively to  
6 carry or apply agricultural fertilizer or agricultural chemicals  
7 and having a gross weight, including load thereon, of twenty  
8 thousand pounds or less. Such trailers shall carry on their  
9 license plate, in addition to the registration number, the letter  
10 X;

11 (11) Film vehicle means any motor vehicle or trailer used  
12 exclusively by a nonresident production company temporarily on  
13 location in Nebraska producing a feature film, television  
14 commercial, documentary, or industrial or educational videotape  
15 production;

16 (12) Fleet means one or more apportionable vehicles;

17 (13) Highways means public streets, roads, turnpikes,  
18 parks, parkways, drives, alleys, and other public ways used for the  
19 passage of road vehicles;

20 (14) In-state miles means total miles operated (a) in the  
21 State of Nebraska during the preceding year by the motor vehicle or  
22 vehicles registered and licensed for fleet operation and (b) in  
23 noncontracting reciprocity states by vehicles that are base-plated  
24 in Nebraska;

25 (15) Local truck means a truck and combinations of  
26 trucks, truck-tractors, or trailers or semitrailers operated solely  
27 within an incorporated city or village or within ten miles of the  
28 corporate limits of the city or village in which they are owned,

1 operated, and registered. Such trucks shall carry on their license  
2 plates, in addition to the registration number, the designation of  
3 local truck;

4 (16) Motor vehicle means any vehicle propelled by any  
5 power other than muscular power except (a) mopeds as defined in  
6 section 60-637, (b) farm tractors, (c) self-propelled equipment  
7 designed and used exclusively to carry and apply fertilizer,  
8 chemicals, or related products to agricultural soil and crops,  
9 agricultural floater-spreader implements as defined in section  
10 60-6,294.01, and other implements of husbandry designed for and  
11 used primarily for tilling the soil and harvesting crops or feeding  
12 livestock, (d) power unit hay grinders or a combination which  
13 includes a power unit and a hay grinder when operated without  
14 cargo, (e) vehicles which run only on rails or tracks, (f) off-road  
15 designed vehicles, including, but not limited to, golf carts,  
16 go-carts, riding lawnmowers, garden tractors, all-terrain vehicles  
17 as defined in section 60-6,355, snowmobiles as defined in section  
18 60-663, and minibikes as defined in section 60-636, (g) road and  
19 general-purpose construction and maintenance machinery not designed  
20 or used primarily for the transportation of persons or property,  
21 including, but not limited to, ditchdigging apparatus, asphalt  
22 spreaders, bucket loaders, leveling graders, earthmoving carryalls,  
23 power shovels, earthmoving equipment, and crawler tractors, and (h)  
24 self-propelled chairs used by persons who are disabled;

25 (17) Motorcycle means any motor vehicle, except a tractor  
26 or an all-terrain vehicle as defined in section 60-6,355, having a  
27 seat or saddle for use of the rider and designed to travel on not  
28 more than three wheels in contact with the ground;

1           (18) Noncontracting reciprocity state means any state  
2 which is not a party to any type of contracting agreement between  
3 the State of Nebraska and one or more other jurisdictions for  
4 registration purposes on commercial vehicles and, as a condition to  
5 operate on the highways of that state, (a) does not require any  
6 type of vehicle registration or allocation of vehicles for  
7 registration purposes or (b) does not impose any charges based on  
8 miles operated, other than those that might be assessed against  
9 fuel consumed in that state, on any vehicles which are part of a  
10 Nebraska-based fleet;

11           (19) Owner means a person, firm, or corporation which  
12 holds a legal title of a vehicle. If (a) a vehicle is the subject  
13 of an agreement for the conditional sale thereof with the right of  
14 purchase upon performance of the conditions stated in the agreement  
15 and with an immediate right of possession vested in the conditional  
16 vendee, (b) a vehicle is subject to a lease of thirty days or more  
17 with an immediate right of possession vested in the lessee, or (c)  
18 a mortgagor of a vehicle is entitled to possession, then such  
19 conditional vendee, lessee, or mortgagor shall be deemed the owner  
20 for purposes of Chapter 60, article 3. For such purpose, there are  
21 hereby adopted and incorporated by reference the provisions of  
22 Article XI, International Registration Plan, adopted by the  
23 American Association of Motor Vehicle Administrators, as revised  
24 November 1976;

25           (20) Park means to stop a vehicle for any length of time,  
26 whether occupied or unoccupied;

27           (21) Passenger car means a motor vehicle designed and  
28 used to carry ten passengers or less and not used for hire;

1           (22) Proof of financial responsibility has the same  
2 meaning as in section 60-501;

3           (23) Self-propelled mobile home means a vehicle with  
4 motive power designed for living quarters;

5           (24) Semitrailer means any vehicle without motive power  
6 designed for carrying persons or property and for being drawn by a  
7 motor vehicle and so constructed that some part of its weight and  
8 that of its load rests upon or is carried by the towing vehicle;

9           (25) Total fleet miles means the total number of miles  
10 operated in all jurisdictions during the preceding year by the  
11 vehicles in such fleet during such year;

12           (26) Trailer means any vehicle without motive power  
13 designed for carrying persons or property and being pulled by a  
14 motor vehicle and so constructed that no part of its weight rests  
15 upon the towing vehicle;

16           (27) Transporter means any person lawfully engaged in the  
17 business of transporting vehicles not his or her own solely for  
18 delivery thereof (a) by driving singly, (b) by driving in  
19 combinations by the towbar, fullmount, or saddlemount methods or  
20 any combinations thereof, or (c) when a truck or tractor draws a  
21 semitrailer or tows a trailer;

22           (28) Truck means a motor vehicle that is designed, used,  
23 or maintained primarily for the transportation of property;

24           (29) Truck-tractor means any motor vehicle designed and  
25 used primarily for drawing other vehicles and not so constructed as  
26 to carry a load other than a part of the weight of the vehicle and  
27 load being drawn;

28           (30) Utility trailer means a trailer having a gross



1 weight, including load thereon, of nine thousand pounds or less  
2 attached to a motor vehicle and used exclusively to carry  
3 miscellaneous items of personal property. Such trailers shall  
4 carry on their license plate, in addition to the registration  
5 number, the letter X; and

6 (31) Vehicle means any device in, upon, or by which any  
7 person or property is or may be transported or drawn upon a public  
8 highway except devices moved solely by human power or used  
9 exclusively upon stationary rails or tracks.

10 Sec. 2. Original section 60-301, Reissue Revised  
11 Statutes of Nebraska, is repealed.